

REMARKS

The Examiner, Mr. Wu, is thanked for the courtesy of the interview granted Applicant's attorney on April 21, 2004. During the interview, Applicant's attorney proposed amendments to the independent claims 1, 10 and 12, and also discussed proposed new claims 21-24. During the course of the interview, the Examiner agreed that it was likely that the proposed amendments to claims 1, 10, and 12 would overcome the rejection based on U.S. Patent No. 5,309,228, hereinafter *Nakamura*. Further details concerning the differences between the amended claims and the prior art are set forth herein below.

Claims 1, 2, 8, 10, 12, 13, and 19 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,309,228, hereinafter *Nakamura*. In addition, claims 9 and 20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Nakamura*, and claims 7 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Nakamura* in view of U.S. Patent No. 5,075,788, hereinafter *Funda*. The Examiner has indicated that claims 3-6, 11, and 14-17 contain allowable subject matter.

To more clearly define the present invention, the independent claims 1, 10, and 12 have been amended to clarify that an area extractor extracts skin areas from input image data, a decider decides which type in the classification each of the extracted skin areas belong, and an image corrector corrects the image data of each of the skin areas extracted by the area extractor according to a correction method provided beforehand for each type of classification. Claim 10 is a method claim and has been amended in a similar fashion. Claim 12 is a claim defining a computer

readable storage medium storing a computer program, and has been amended in a manner similar to that set forth above.

One aspect of the present invention set forth in claims 1, 10 and 12, is that skin areas are extracted from the input image data and the determination is made as to which classification each of the extracted skin areas belong. After the extracted skin areas are classified, an image corrector corrects image data of each of the skin areas extracted by the area extractor according to a correction method provided beforehand for each type of the classification. Thus, each extracted skin area is corrected according to a correction method that is best suited to that particular skin area.

In contrast to the claimed invention set forth in claims 1, 10 and 12, *Nakamura* reads an image, and RGB data of each pixel is converted to HLS data. Then, as shown in Figure 17, a histogram of hue (H) and saturation (S) data is prepared in a coordinate system of hue, saturation, and the number of picture elements. Each mountain in the histogram consists of picture elements having similar hue and saturation data. The picture elements in a mountain are regarded as picture elements of the same type of skin color, and the area of the picture elements is regarded as a skin area. The routine for determining which mountain each picture element belongs to is set forth in Figure 22.

However, the processing shown in Figure 22 is a preprocessing used to select each picture element before extraction of the skin areas. That is, it is not used after skin areas are extracted, in contrast to the present invention. Furthermore, if two mountains are found in the processing of Figure 22, both of the mountains are subjected to the same correction method. Accordingly, *Nakamura* does not teach or

suggest the claimed combinations of claims 1, 10, and 12, which includes the concept of extracting various skin areas from image data classifying each of the extracted skin areas and correcting the image data of each of the skin areas according to a correction method determined beforehand for each type of classification.

Accordingly, claims 1, 10, and 12 are clearly patentable over *Nakamura*. In *Nakamura*, there is no teaching of an image corrector which corrects image data of each of the skin areas extracted by the area extractor according to the characteristics of the skin color of each of the skin areas.

Claims 2, 7-9, 11, 13, and 18-20 depend from claims 1, 10 or 12, and are thus patentable over *Nakamura* at least for the reasons set forth above with respect to claims 1, 10, or 12.

To further define the protection to which Applicant is entitled, new claims 21-24 are added. Each of the new claims defines a combination that is not set forth in the applied prior art, and is thus patentable.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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